Rao Sahib Mr. C. Matthai.—The *Code* will give you the names; Pariahs; Pulayas, Vettuvas, Kanâkkas, Nayadis, Ulladans and so on, are Depressed Classes.

Mr. A. Eachara Menon.—I am an untouchable to Mr. Ramachandra Ayyar.

Rao Sahib Mr. C. Matthai.—But Mr. Eachara Menon does not come within the scope of our Depressed Classes Department.

Deputy President.—Do you press your motion?

Mr. A. B. Salem.—I do not press the cut of a single rupee. I want to give them one rupee more.

(*The cut motion was, with leave, withdrawn.*)

(*The demand of Rs. 18,470 under XXXI—Uplift of the Depressed Classes was put and agreed to.*)

9. XXIII.—Cranganur—Uplift of the Depressed Classes—Rs. 500.

Rao Sahib Mr. C. Matthai.—Sir, there is one more demand to be moved. I beg to move for an additional allotment of Rs. 500 under 'Cranganur—Uplift of the Depressed Classes.' It is intended more or less for the same purpose. We are doing a little more towards feeding these children and helping them with clothes, books and so on, and also in support of some co-operative societies specially organised for Depressed Classes and things like that. That accounts for the Rs. 500 asked for.

Motion No. 1.

Mr. T. A. Ramachandra Ayyar.—*To omit the allotment of Rs. 500.*

Mr. T. A. Ramachandra Ayyar.—I don't move it.

(*Hence the motion was considered withdrawn.*)

(*The demand was put and agreed to.*)

Resolutions on matters of General Public Interest.

1 *Closing of Liquor Shops.*

Deputy President.—Now let us begin resolutions. We have got a large number. You will try to cut short your speeches. Last time we had only 18, this time we have 22 resolutions tabled for each day. The first resolution stands in the name of Mr. K. T. Mathew, but he is absent.

Mr. K. P. Kannan Nayar.—That has already been moved. We had a discussion and that is pending.

Mr. C. A. Kunjunni Raja.—We want to hear only the view of the Government with regard to that.

Mr. C. V. Antony.—Sir, I rise to oppose this resolution which seeks to place further restrictions upon the hours of sale.

It is common knowledge that the majority of persons who resort to liquor shops belong to labouring classes, that they

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will be engaged in their work till about 6-30 or 7 p. m. and that they will be able to go to liquor shops for drink only at about 7 p. m. As a matter of fact, regular sales, especially in arrack shops, hardly ever commence before evening. If, therefore, this resolution is given effect to, it will be tantamount to enforcing partial prohibition, which will surely lead to the advent of illicit liquor and to the decrease in the consumption of licit liquor. The result will be not a diminition in drink, but a material decrease in the income legitimately due to the Government and the transfer of that income to the illicit producer. Both in the Madras Presidency and in Travancore the closing hour of all liquor shops has been fixed at 8 p. m. and from the beginning of last year the closing hour was advanced from 9 to 8 p. m. in our State also. Any further restriction will surely lead to malpractices. The Travancore Excise Committee expressly say that the closing hour of 8 p. m. should be maintained. It seems that in Travancore the closing of shop at 7 p. m. was insisted upon in towns only. I may here quote what the Travancore Excise Committee say on the point.

"With regard to the closing hour, it is suggested that in towns the closing hour should be fixed at 7 p. m. The Excise Commissioner pointed out that it was in towns that much difficulty was experienced in enforcing even the present time-limit of 8 p. m. Conditions of life in a town were varied and many people usually were able to leave off work and get home not earlier than 8 or 8-30 p. m., with the result that shop-keepers, when taxed with the breach of the rule, complained of the pressure brought to bear upon them by many persons, whom, from their local status and influence, it was impossible for the shop-keepers to disoblige, without bringing upon themselves a good deal of trouble. In view of the conditions in the towns the Excise Commissioner was of opinion that any further restriction in the closing hour would only lead to the wide-spread breach of the rule and diminish the justification for taking penal action against the offending shop-keepers. He said that if a reasonable limit was fixed it would be possible to punish the offenders without leaving a feeling of unfairness in their minds. In view of the statement of the Excise Commissioner, the Committee consider the hours of sale as fixed at present may be left alone".

The Excise Committee appointed by the Madras Government were also of the same opinion and the Madras Government in passing orders on the report of that Committee observe as follows:—

"Several restrictions have already been placed on the hours of sale. The Committee point out that further restrictions

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may only lead to illicit instead of licit consumption as the working classes can come to the shops only during certain hours of the day. The Commissioner of Excise is of the same opinion and states that there have already been several complaints from the shop-keepers that the present closing hour, viz., 8 p. m., is very inconvenient and that it should be extended. The Government agree with the Committee."

Thus it will be seen that both in the Madras Presidency and in Travancore the closing hour is 8 p. m. and I do not see any reason why we should order the closing of our shops earlier. The Travancore Excise Committee report would show that not only the poor but even well-to-do and influential men wanted to have the shops kept open even after 8 p. m.

I may also add that this matter has been considered in detail by our Excise Committee the report of which is under the consideration of the Government.

For these reasons, Government oppose this resolution.

Deputy President.—The question before the House is "*that this Council recommends that no liquor shop shall be allowed to be kept open after 7 p. m. from the next financial year*".

(*Question put and agreed to.*)

Mr. C. A. Kunjunni Raja.—We want a poll, Sir.

The House divided: Ayes 23, Noes 16.

Ayes.

1	Messrs. I. E. Ambooken	13	Messrs. A. K. Kunju Moideen
2	V. V. Anantapadmanabha Ayyar	14	C. A. Kunjunni Raja
3	K. J. Antony	15	C. J. Mathew
4	K. Ayyappan	16	K. Mohamed Seethi
5	M. A. Chakko	17	V. D. Ouseph
6	P.C. Chanchan	18	Mrs. G. Pavitran
7	A. Eachara Menon	19	Mr. T. A. Ramachandra Ayyar
8	E. Ikkanda Warriar	20	,, M. K. Raman
9	K. P. Kannan Nayar	21	Dr. A. R. Menon
10	P. Krishna Menon	22	Mr. A. B. Salem
11	T. K. Nayar	23	,, Thomas Manjuran
12	P. Kumaran Ezhuthassan		

Noes.

1	Messrs. C. V. Antony	10	Mr. K. Krishna Pisharodi
2	V. K. Aravindaksha Menon	11	Rao Sahib Mr. C. Mathai
3	C. Barton Wright	12	Mr. P. Nilakanta Menon
4	K. Govinda Menon	13	,, I. Raman Menon
5	A. S. Harihara Ayyar	14	,, A. Sankara Menon
6	U. Kandar Menon	15	Dr. E. A. Veigas
7	S. S. Koder	16	Diwan Bahadur Dr. V. Verghese
8	T. K. Krishna Menon		
9	T. M. Krishna Menon		

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Mr. K. J. Antony.—Under Standing Order 26 I beg to move that all the resolutions standing in the name of Mr. K. T. Mathew be postponed.

Mr. K. Ayyappan.—I second it.

Mr. K. P. Kannan Nayar.—I rise to a point of order. Now I refer to Rule 40. There it is stated that it only applies if the business is reached and not before that.

Mr. A. B. Salem.—At any stage the motion can be moved.

Mr. K. P. Kannan Nayar.—I want a ruling on that point.

Deputy President.—I do not think that it is in order.

Mr. A. B. Salem.—In Rule 26 there are two kinds of statements. Business under discussion as well as mere business. If a motion to pass on to the next business is moved when a business is under discussion, though it will be considered as having been discussed, it applies to motions while under discussion. Of course the sense of the House has to be taken.

Diwan Bahadur Dr. V. Verghese.—Of course there is Rule 40.

Deputy President.—Standing Order is intended only for regulating the business of the Council on matters not provided for in the Regulation.

Mr. C. A. Kunjunni Raja.—I may bring to your notice one instance, viz., the Chief Court Regulation Amendment Bill. Under Standing Order 26 an adjournment motion was made.

Diwan Bahadur Dr. V. Verghese.—Here there is nobody to make the motion.

Mr. K. P. Kannan Nayar.—Otherwise Standing Order 26 and Rule 40 will be conflicting each other.

Mr. K. J. Antony.—Before the motion is made, I would like to have the opinion of the Law Member.

Deputy President.—As soon as resolution No. 1 was disposed of, Mr. K. J. Antony, the Member for Pallivirutti, moved, under Sanding Order 26, that all the resolutions standing in the name of Mr. K. T. Mathew may be adjourned. This was opposed by Mr. K. P. Kannan Nayar, the Member for Vellarappalli, on the ground that Mr. Mathew is absent and that Sanding Order 26 is not applicable to a resolution standing in the name of an absent Member and that the proper procedure is that provided for in Rule 40 (2). I am inclined to think that the contention of the Member for Vellarappalli is correct. Section 10 of the Regulation shows that Standing Orders are only intended to provide for cases not provided for in the Rules,

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and Standing Order 26 cannot, therefore, apply to a case specifically provided for by Rule 40 (2). I, therefore, hold that the motion by the Member for Pallivirutti cannot be allowed.

2. *Supply of list of questions, etc.,*

Deputy President.—The next item in the agenda is resolution No. 2 standing in the name of Mr. K. T. Mathew.

The Member being absent the following was considered withdrawn :—

"*This Council requests the Government to supply all the non-official Members of the Council at every meeting of the Council with a printed list of questions, resolutions, Bills and amendments to Standing Orders disallowed prior to that meeting, stating for what reason and under what section of the Council Regulation and Rules they have been disallowed.*"

3. *Reformatory in the State.*

Deputy President.—Then resolution No. 3.

Mr. Thomas Manjuran.—Sir, I rise to move that "*this Council recommends that the Government may be pleased to take early steps for opening a reformatory in the State for the benefit of the juvenile offenders*". This resolution is mainly intended to bring our State into line with British India and Travancore and practically with all modern States. The theory of crime and punishment has of late under gone something like a radical change.

Deputy President.—Are there any juvenile offenders?

Mr. Thomas Manjuran.—Many juveniles are sentenced with whipping. For some time past the theory of punishment has been assuming a rather new form. A few years ago or at any rate a few decades ago if a man transgressed the law all sorts of punishment were inflicted upon him. In fact he used to be hanged and quartered. But of late years people have come to realise that that is a very wrong policy. Men transgressing the law might have done so on the spur of the moment or without due calculation or realisation of the moral responsibility. The criminologists lay down now-a-days that each crime must be considered on its own merits and punishment meted not with the spirit of vindictiveness but wherever possible so as to reclaim and make the offender a useful citizen. Now that is as regards the general theory of punishment. Sir, almost all modern States think that it would be a pity to sentence a boy or a youngster with whipping or to confinement in jail so as to give him a chance of picking up jail vices by associating with prisoners who know perhaps all that is to be known about evil things in general.

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